

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

HARRY BIMS, ET AL.

Application No.: 10/661,218

Filed: September 12, 2003

For: **Tunneling Protocols for Wireless Communications**



Art Group: To be assigned

Examiner: To be assigned

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted within three (3) months of filing of the application. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s). Some or all of the references listed on the enclosed PTO/SB/08 were previously identified in the parent application (Application No. 10/044,016, filed January 11, 2002) and copies of the references were furnished at that time. Accordingly, per 37 CFR §1.98(d)(1) additional copies of those references are not submitted herewith.

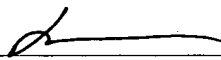
The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 11/5/03


Michael J. Mallie, Reg. No. 36,591

12400 Wilshire Blvd., 7th Floor
Los Angeles, California 90025
(408) 720-8300

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Debra L. Riggio

11/5/2003
11-05-03
Date

Substitute for Form 1449/PTO

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	10/661,218
Filing Date	September 12, 2003
First Named Inventor:	Harry Bims
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	005878.P011X

Sheet 1 of 5

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)				
		US-	5,479,400	12-26-1995	Dilworth et al.	
		US-	5,815,811	09-29-1998	Pinard et al.	
		US-	5,903,834	05-11-1999	Wallstedt et al.	
		US-	5,979,757	11-09-1999	Tracy et al.	
		US-	6,002,918	12-14-1999	Heiman et al.	
		US-	6,067,297	05-23-2000	Beach	
		US-	6,084,528	07-04-2000	Beach et al.	
		US-	6,178,426 B1	01-23-2001	Klein et al.	
		US-	6,188,681 B1	02-13-2001	Vesuna	
		US-	6,199,753 B1	03-13-2001	Tracy et al.	
		US-	6,404,772 B1	06-11-2002	Beach et al.	
		US-	6,405,049 B2	06-11-2002	Herrod et al.	
		US-	6,411,608 B2	06-25-2002	Sharony	
		US-	6,594,475 B1	07-15-2003	Anvekar et al.	
		US-				

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	96/22636		07-25-1996	MacNamee		

Examiner
Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

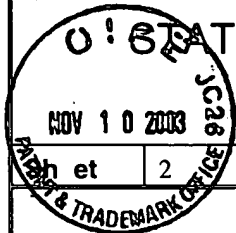
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		Number-Kind Code ² (If known)				
		US-	4,534,061	08-06-1985	Ulug	
		US-	5,461,627	10-24-1995	Rypinski	
		US-	5,507,035	04-09-1996	Bantz et al.	
		US-	5,594,731	01-14-1997	Reissner	
		US-	5,636,220	06-03-1997	Vook et al.	
		US-	5,717,688	02-10-1998	Belanger et al.	
		US-	5,774,461	06-30-1998	Hyden et al.	
		US-	5,825,776	10-20-1998	Moon	
		US-	5,862,481	01-19-1999	Kulkarni et al.	
		US-	5,875,186	02-23-1999	Belanger et al.	
		US-	5,923,702	07-13-1999	Brenner et al.	
		US-	5,987,062	11-16-1999	Engwer et al.	
		US-	5,991,287	11-23-1999	Diepstraten et al.	
		US-	6,038,448	03-14-2000	Chheda et al.	
		US-	6,058,106	05-02-2000	Cudak et al.	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				

Examiner
Signature

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		Number-Kind Code ² (If known)				
		US-	2002/0075825 A1	06-20-2002	Hills et al.	
		US-	2002/0060995 A1	05-23-2002	Cervello et al.	
		US-	2001/0024953 A1	09-27-2001	Balogh	
		US-	6,259,898	07-10-2001	Lewis	
		US-	6,097,707	08-01-2000	Hodzic et al.	
		US-	6,130,896	10-10-2000	Lueker et al.	
		US-	6,137,791	10-24-2000	Frid et al.	
		US-	6,137,802	10-24-2000	Jones et al.	
		US-	6,243,581	06-05-2001	Jawanda	
		US-	6,253,082	06-26-2001	Hengeveld	
		US-	6,285,665	09-04-2001	Chuah	
		US-	6,452,915 B1	09-17-2002	Jorgensen	
		US-	6,501,582 B2	12-31-2002	Chiou et al.	
		US-	6,522,880 B1	02-18-2003	Verma et al.	
		US-	6,556,547 B1	04-29-2003	Srikanth et al.	

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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				

 Examiner
Signature

Date Considered

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Sheet

of

5

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First Named Inventor:	Harry Bims
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	005878.P011X

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		BAHL, Paramvir and PADMANABHAN, Venkata N., "RADAR: An In-Building RF-based User Location and Tracking System," Proceedings of IEEE INFOCOMM 200, March 2000, pp. 775-784.	
		Lucent Technologies Inc., Orinoco Manager Suite – User's Guide, November 2000	
		MESSIER, Andrew et al., "Performance Monitoring of a Wireless Campus Area Network," Local Computer Networks, 1997, Proceedings, 22 nd Annual Conference on November 1997, pp. 232-238	
		PCT International Search Report mailed April 15, 2003 for International Application No.: PCT/US03/00783 (4 pages)	
		PCT International Search Report mailed April 25, 2003 for International Application No. PCT/US03/0782	

Examiner Signature		Date Considered	
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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application No.	10/661,218	
	Filing Date	September 12, 2003	
	First Named Inventor	Harry Bims	
	Art Unit	To be assigned	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission	11	Attorney Docket Number	5878P011X

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">- Return postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael J. Mallie, Reg. No. 36,591 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	11/5/03

CERTIFICATE OF MAILING/TRANSMISSION			
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Typed or printed name	Debra L. Riggio	11/5/03	
Signature		Date	November 5, 2003

NOV 10 2003

**FEE TRANSMITTAL
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$)**Complete if Known**

Application Number	10/661,218
Filing Date	September 12, 2003
First Named Inventor	Harry Bims
Examiner Name	To be assigned
Group/Art Unit	To be assigned
Attorney Docket No.	5878P011X

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

2. EXTRA CLAIM FEES

Total Claims - 20** = X =
 Independent Claims - 3 = X =
 Multiple Dependent =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple Dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	

**or number previously paid, if greater, For Reissues, see below

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	1,210	2255	605	Extension for reply within fifth month	
1404	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
SUBTOTAL (3)				(\$)	

*Reduced by Basic Filing Fee Paid

SUBMITTED BY**Complete (if applicable)**Name (Print/Type) **Michael J. Mallie**

Registration No. (Attorney/Agent)

36,591

Telephone

(408) 720-8300

Signature

Date

11/5/03